

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHNNY M. HUNT,

Plaintiff,

v.

SOUTHERN BAPTIST CONVENTION;
GUIDEPOST SOLUTIONS LLC; and
EXECUTIVE COMMITTEE OF THE
SOUTHERN BAPTIST CONVENTION,

Defendants.

Case No. 3:23-cv-00243

Judge Campbell

Magistrate Judge Frensley

MOTION FOR A PROTECTIVE ORDER AND IN CAMERA REVIEW

Pursuant to Rule 26(b) and (c) of the Federal Rules of Civil Procedure, Defendant Guidepost Solutions LLC (“Guidepost”), by and through its undersigned counsel, respectfully moves this Court to enter a protective order relieving Guidepost of the obligation to produce certain sensitive and highly private documents responsive to Plaintiff Johnny M. Hunt’s (“Hunt”) First Request for Production to Defendant Guidepost Solutions LLC and Hunt’s Second Request for Production to Defendant Guidepost Solutions LLC (together, the “Document Requests”), and/or to accept the following documents for *in camera* review prior to determining the instant motion:

1. Audio recordings that the husband of an alleged sexual abuse survivor made of his counseling sessions with his wife and a purported marriage counselor;
2. The husband’s private journal;
3. A summary document that contained information provided by the alleged survivor and her husband to Guidepost’s investigators;

4. Text messages exchanged between the survivor and a Guidepost investigator who interviewed her for the report prepared by Guidepost;
5. Guidepost's notes of its interview with the alleged survivor and her husband; and
6. Blackline drafts of Guidepost's interview notes.

As detailed more fully in the accompanying memorandum, as Guidepost reviewed documents responsive to Hunt's Document Requests, it discovered that it was restricted from producing certain highly sensitive and private marital recordings and other documents without obtaining prior approval from the alleged sexual abuse survivor—or a final court order—pursuant to that certain engagement letter entered into by and among Guidepost, the Sexual Abuse Task Force of the Southern Baptist Convention (the "SBC"), and the SBC's Executive Committee (the "Engagement Letter"). (A true copy of the Engagement Letter was filed as Guidepost's Exhibit A to the Joint Discovery Dispute Statement at ECF Doc. No. 56-15.)

Unrestricted production of these discovery materials would disclose information relating to the identity of an alleged sexual abuse survivor and witnesses in contravention of paragraph 4.3 of the Engagement Letter and would otherwise unjustifiably disclose deeply intimate details of the alleged survivor's marriage, to which Hunt should not have access.

As required by Local Rule 7.01, counsel for Guidepost certifies that on September 14, 2023, they conferred in good faith with counsel for Hunt regarding the nature of this Motion, the issues raised in this Motion, and the relief requested in this Motion. Despite having met and conferred with counsel for Hunt regarding this discovery dispute, Guidepost and Hunt have been unable to resolve this discovery dispute without seeking the Court's assistance. Guidepost and Hunt filed a Joint Discovery Dispute Statement regarding the issues raised in Hunt's motion to compel discovery (which overlap with the issues presented by this Motion) on September 15, 2023. (ECF Doc. No. 56.) Hunt has represented to the Court that he has requested the scheduling

of a telephonic discovery conference regarding the issues raised in the motion to compel discovery, but no conference has yet been scheduled or occurred. Following the filing of Hunt's motion to compel, and to preserve its rights, Guidepost files the instant cross-motion for a protective order concurrently with its opposition to Hunt's motion to compel.

In support of this Motion, Guidepost relies upon the memorandum of law filed contemporaneously herewith, the Declaration of Steven G. Mintz, Esq., and the Joint Discovery Dispute Statement filed by Hunt and Guidepost on September 15, 2023 and its attached exhibits, including Hunt's Discovery Requests, which are adopted by reference. (ECF Doc. No. 56.)

For the foregoing reasons, this Court should grant this Motion and enter an Order relieving Guidepost of the obligation to produce to Hunt the sensitive and highly private documents at issue in this motion, and/or to accept the said documents for *in camera* review.

Dated: October 20, 2023

Respectfully submitted,

By: /s/ John R. Jacobson

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served through the Court's electronic filing system on the following:

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on this 20th day of October, 2023.

By: /s/ John R. Jacobson
